

Notice of Allowability

Application No.

10/047,925

Applicant(s)

MOORE, RAYMOND

Examiner

Art Unit

Susanna M. Diaz

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed April 25, 2005.
2. ☒ The allowed claim(s) is/are 1,4-13,15-19 and 21-24.
3. ☒ The drawings filed on 14 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

Susanna Diaz
SUSANNA M. DIAZ
PRIMARY EXAMINER
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Reasons for Allowance

1. Claims 1, 4-13, 15-19, and 21-24 are allowed.

2. The following is an examiner's statement of reasons for allowance:

The closest prior art is CACI's FieldForce Planning services and territory optimization software, which are commonly used together, as disclosed in:

"CACI Information Solutions" (published Summer 2001 in Marketing Solutions Today and retrieved from <URL: http://www.caci.co.uk/pdfs/mst_Summer_2001.pdf> on May 17, 2003]); and

"CACI Limited Home Page" (dated June 2001 and retrieved from <URL: <http://web.archive.org/web/20010610010807/www.caci.co.uk>> on May 26, 2003]).

"CACI Information Solutions" discloses various maps with distinct territories identified (Page 6, ¶¶ 2-4, InSite Field Force map; Page 7, ¶¶ 5-6, figure). The outlined boundaries of these individual territories as well as the exterior of the area containing all of the territories are delineated/sketched, i.e., traced, as such; therefore, CACI's FieldForce Planning services and territory optimization software generally discloses the concept of assigning business representatives to various geographic units based on a trace. However, independent claims 1, 13, and 19 have been amended to recite the details of how a trace is hand-drawn by a user as a line defining a closed boundary on a map. Bailey (U.S. Patent No. 6,604,083) discloses the concept of a human analyst tracing an area around a geographical point encompassing a potential market area (col. 4, lines 57-60); however, neither CACI's FieldForce Planning services and territory

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optimization software nor Bailey teaches or suggests utilizing such a hand-drawn trace to manage a geographical distribution of business representatives, including the specification of a change in assignment of a geographical unit to a new business representative, at the level of detail recited in independent claims 1, 13, and 19.

Therefore, claims 1, 4-13, 15-19, and 21-24 are deemed to be allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

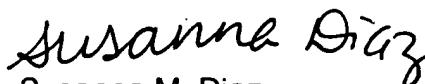
Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 10 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Susanna M. Diaz
Primary Examiner
Art Unit 3623

July 8, 2005